

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2002-429

March 31, 2004

MAINE PUBLIC SERVICE COMPANY  
Request for Special Rate Contract  
With Fraser Paper, Inc.

ORDER APPROVING  
CONTRACT

WELCH, Chairman; DIAMOND and REISHUS, Commissioners

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**SUMMARY OF DECISION**

By this Order, the Commission approves Maine Public Service Company's (MPS's) proposed Interconnection Agreement with Fraser Paper, Inc (Fraser).

**DISCUSSION AND DECISION**

On July 24, 2002, MPS filed with this Commission a proposed Interconnection Agreement with Fraser. This 5-year contract allows Fraser to interconnect its 69kV line to the MPS system (under appropriate protections and adequate metering) and to receive non-firm, back-up transmission service from MPS. Pursuant to the Agreement, MPS is not obligated to provide this service for usage above 5 MW and/or 600 MWh/month.

No other filings were made in this docket until on November 13, 2003, when MPS filed a revised version of the Agreement. These changes were based in part on concerns raised by the Commission Staff regarding the language of certain provisions in the Agreement and in part on additional negotiations between MPS and Fraser.

We have reviewed the revised Agreement and find that it does not present significant risk to MPS's ratepayers, either with respect to revenue loss or with respect to the reliability of their electric service. Therefore, we will allow the contract to go into effect pursuant to 35-A M.R.S.A. §703(3-A).<sup>1</sup>

Accordingly, we

**O R D E R**

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<sup>1</sup> We decline to find, as requested by MPS, that this contract satisfies an obligation to serve Fraser pursuant to 35-A M.R.S.A §301(1). Because Fraser is a full-requirements customer of New Brunswick Power Corporation, we do not view MPS as having such an obligation to Fraser.

That the revised interconnection Agreement with Fraser Paper, Inc., filed by Maine Public Service Company on November 13, 2003, is hereby approved and may become effective as of the date of this Order.

Dated at Augusta, Maine, this 31<sup>st</sup> day of March, 2004.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director Administrative Director

COMMISSIONERS VOTING FOR:      Welch  
   Diamond  
   Reishus

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.